

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ZENITH MEDICAL, P.C., As Assignee of Anthony Alecki, L. Alexander, Michele Allen, Latoya Allen, Rashid Arfat, Damon Askew, Debra Grayson Askew, Donna Barth, Michael Beiring, Amber Booker, Jesse Brewster, Emily Brown, Ronald Carlton, J. Clinkscales, Monique Cooley, *et al.*

Docket No.:  
1:15-cv-00696-RJA-LGF

Plaintiff,

-against-

ALLSTATE FIRE AND CASUALTY INSURANCE,  
ALLSTATE INDEMNITY COMPANY, ALLSTATE  
NORTHBROOK INDEMNITY COMPANY and  
ALLSTATE PROPERTY AND CASUALTY  
INSURANCE COMPANY,

Defendants.

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**STIPULATION OF DISMISSAL WITH PREJUDICE**

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned counsel of record for Plaintiff, Zenith Medical, PC, As Assignee of Anthony Alecki, L. Alexander, Michele Allen, Latoya Allen, Rashid Arfat, Damon Askew, Debra Grayson Askew, Donna Barth, Michael Beiring, Amber Booker, Jesse Brewster, Emily Brown, Ronald Carlton, J. Clinkscales, Monique Cooley, et al. (hereinafter, "Plaintiff") and Defendants, Allstate Fire and Casualty Insurance, Allstate Indemnity Company, Allstate Northbrook Indemnity Company, Allstate Property and Casualty Insurance Company (hereinafter collectively, "Defendants") as follows:

1. All claims asserted by Plaintiff against Defendant in this action are dismissed, with prejudice, pursuant to Fed. R. Civ. Proc. 41(a)(1)(A)(ii).
2. Plaintiff and Defendants shall each bear their own costs and counsel fees in connection with prosecuting/defending this action.

3. For purposes of this stipulation, facsimile or PDF signatures shall be treated as originals.

Dated: May 7, 2018

RUSSELL FRIEDMAN & ASSOCIATES, LLP

By: /s/ Charles Horn

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of Anthony Alecki, L. Alexander, Michele Allen, Latoya  
Allen, Rashid Arfat, Damon Askew, Debra Grayson Askew,  
Donna Barth, Michael Beiring, Amber Booker, Jesse Brewster,  
Emily Brown, Ronald Carlton, J. Clinkscales, Monique Cooley,  
et al.*

RIVKIN RADLER LLP

By: /s/ Barry I. Levy

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Insurance, Allstate Indemnity Company, Allstate Northbrook  
Indemnity Company, Allstate Property and Casualty Insurance  
Company*

**S O O R D E R E D :**

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U.S.D.J.

\_\_\_\_\_, 2018